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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/925,711 | 08/09/2001 | Ahmad K. Al-Amin | TRW(VSSIM)5574 | 4802 |

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| EXAMINER | |
|-----------------------|--------------|
| BOTTORFF, CHRISTOPHER | |
| ART UNIT | PAPER NUMBER |
| 3618 | |

DATE MAILED: 04/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,711

Applicant(s)

AL-AMIN, AHMAD K.

Examiner

Christopher Bottorff

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 10, 13 and 14 is/are rejected.
- 7) ☒ Claim(s) 11, 12 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

The request for reconsideration filed February 6, 2003 has been fully considered and is persuasive with regard to Goetz. However, further searching has revealed prior art that is relevant to claim 10-15. The double patenting rejection of claim 1-9 has been withdrawn. Also, the rejection of claims 11 and 12 under 35 U.S.C. 112, first paragraph, and the objection to the drawings have been withdrawn. This action is **not** final.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on February 6, 2003 has been considered by the examiner.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10, 13, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Fink US 6,029,995.

Fink discloses an inflator having a container, defined by the walls of chamber 15, which stores inflation fluid 16 under pressure. See Figure 1 and column 2, lines 26-28. The container includes an opening 46 through which inflation fluid flows from the container in a given direction that is parallel to the longitudinal axis of the inflator. A rupturable closure member 48 is fixed to the container and blocks the flow of inflation fluid through the opening. An initiator 80 is provided that is capable of rupturing the closure member so inflation fluid may flow from the container. See Figure 4. A retainer

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24 retains the initiator on the container and includes a part having a passage 70 that directs gas flowing from the container in the given direction. See Figure 2. The retainer includes a portion 146 that may be crimped to retain the initiator in the retainer. See column 3, lines 60-65. Also, a support 84 supports the rupturable closure member and transmits force from the closure member to the retainer, wherein the rupturable closure member has a first portion deformed into engagement with the support by the pressure of the inflation fluid in the container. See column 3, line 66, through column 4, line 15.

Allowable Subject Matter

Claims 1-9 are allowed. Claims 11, 12, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed February 6, 2003 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Fink as discussed above.

In regard to claim 13, the given direction is not defined relative to the inflator, as suggested in Applicant's arguments. Rather, the given direction is defined relative to the container portion of the inflator. The direction of fluid flow out of the container of Fink is parallel to a longitudinal axis of the inflator. The subsequent redirection of the

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fluid is irrelevant since the direction of fluid flow out of the container occurs prior to this redirection.

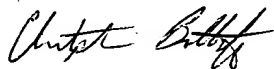
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Swann et al. US 6,010,152 discloses an inflator.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Bottorff whose telephone number is (703) 308-2183. The examiner can normally be reached on Mon.-Fri. 7:30 a.m. - 4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Johnson can be reached on (703) 308-0885. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Christopher Bottorff
March 28, 2003